

Message Text

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PAGE 01 BELGRA 02821 290814Z

20

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 COME-00 EB-07 CIAE-00

DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 IO-13 TRSE-00 XMB-02 /081 W

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R 281700Z APR 76

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 6471

LIMITED OFFICIAL USE BELGRADE 2821

E.O. 11652: NA

TAGS: PGOV PFOR YO

SUBJ: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD:
FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 94647

FOLLOWING RESPONDS TO QUESTIONS

PARA 2 REFTEL:

A. YUGOSLAV PENAL CODE PROVIDES PENALTIES FOR
BOTH THE SOLICITATION OR ACCEPTANCE OF A BRIBE (ART 325)
AND OFFER OR GIVING OF A BRIBE (ART 326) FOR PERFORMING AN
OFFICIAL ACT WHICH OUGHT NOT TO BE PERFORMED OR OMITTING AN
OFFICIAL ACT WHICH SHOULD BE PERFORMED. IN ADDITION,
ART 324 (ILLEGAL INFLENCE) PENALIZES THOSE WHO ACCEPT
PECUNIARY REWARD
OR OTHER BENEFIT FOR INTERCEDING SO THAT
AN OFFICIAL ACT IS (OR IS NOT) CARRIED OUT. FINALLY ART 320
PROVIDES A SPECIFIC PENALTY IF AN OFFICIAL SECRET HAS BEEN
DISCLOSED AS RESULT OF BRIBE.

B. NO PUBLIC DISCLOSURE PROVISIONS THAT WE ARE AWARE
OF, BUT SUCH ACTS SEEMINGLY CAUGHT BY BROAD LANGUAGE OF
ARTICLES CITED ABOVE.

C. YES. A SOCIAL AGREEMENT ON REPRESENTING FOREIGN
FIRMS IN YUGOSLAVIA WHICH WAS ENDORSED BY YUGOSLAV CHAMBER

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OF ECONOMY AND FEDERAL SECRETARIAT FOR FOREIGN TRADE

REGULATES ACTIVITIES OF AGENTS. SHOULD BE NOTED HOWEVER
THAT IT DOESN'T SPECIFICALLY REGULATE TRANSACTIONS WITH
HOST GOVT, SINCE AS MATTER OF POLICY, GOY USES SER-
VICES OF REGISTERED IMPORTERS TO MEET ITS NEEDS.
D.&E. NOT RELEVANT IN YUGOSLAV CONTEXT.
F. REGULATIONS FOR GIVING AND RECEIVING BRIBES IN
COMMERCIAL FIELD ARE SAME AS IN OFFICIAL FIELD (ART 325,
PARA 6 AND ART 326, PARA 5). THERE IS A SPECIFIC PENALTY WHEN
A TRADE SECRET HAS BEEN DISCLOSED AS RESULT OF A BRIBE.
(ART 218). AIRGRAM WITH TEXT OF ABOVE LAWS FOLLOWS.
SWEITZER

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Message Attributes

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Margaret P. Grafeld
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